SINGLE BENCH

(2) (4)

1001

IN THE HIGH COURT OF JUDICATURE AT BILASPUR
CHHATTISGARH

WRIT PETITION (S) NO. 3900 /2006

U.R. Verma,
S/o-Shri U.R. Verma,
Aged about 42 years,
Presently working as Health Worker,
Primary Health Centre - Lakhanpur,
Division- Charama,
Distt. North Bastar (Kanker),
Chhattisgarh. **PETITIONER**

VERSUS

1. State of Chhattisgarh,
Through- Secretary,
Deptt. of Health & Family Welfare,
D.K.S. Bhawan, Mantralaya,
Raipur, Chhattisgarh.

P.R. No. 3985/06
Presented by Shri P. Shrivastava
26/12/06

2. Collector,
Kanker,
Distt. North Bastar, Kanker,
Chhattisgarh.

3. Chief Medical & Health Officer,
Distt. North Bastar, Kanker,
Chhattisgarh. **RESPONDENTS**

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT IN THE NATURE OF MANDAMUS, CERTIORARI ETC.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... WP No. 3900/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

7.8.2006

Heard Mr. Pankaj Shrivastava, Advocate for the petitioner.

Mrs. Anju Ahuja, Deputy Govt. Advocate for the State on advance copy.

By this petition the petitioner has challenged his transfer order dated 21.7.2006 whereby he has been transferred from Sub Health Centre, Lakhanpuri, Division Charama, District North Bastar to Primary Health Centre, Koylibeda.

The main grievance of the petitioner is that the impugned order has been passed by respondent No.3-Chief Medical & Health Officer modifying the order dated 6.7.2006 passed by respondent No.2-Collector, Kanker in accordance with the transfer policy, whereas, respondent No.3 was not competent to modify the order dated 6.7.2006 and it ought to have been done by the Collector himself.

Therefore, learned counsel for the petitioner submits that the petitioner may be allowed to make a detailed representation to respondent No.2 and in turn, he be directed to decide the representation after following the procedure envisaged in the transfer policy for the year 2006-07, to which Mrs. Ahuja, learned Dy. Govt. Adv. for the State has no objection.

Having heard learned counsel for the parties and having regard to the facts & circumstances of the case, without expressing any opinion on the merit of the case, the petitioner is allowed to make a detailed representation to respondent No.2 within 10 days from today along with copy of this petition & annexures and in turn, respondent No.2 to decide the representation of the petitioner in accordance with law after considering the objection raised by the petitioner and also the transfer policy for the year 2006-07 within 30 days from the date of receipt of representation.

In the meantime, the effect & operation of the impugned order dated 21.7.2006 (Annexure P-1) in respect of the petitioner shall remain stayed, if the petitioner is already not relieved.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P.No.3040/06 & I.A. No.7432/06 also stand disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

10.8.06

2/2/07